

In re Application of:  
William Michael Lafferty  
Application No.: 09/894,956  
Filed: June 27, 2001  
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PATENT  
Attorney Docket No.: DIVER1280-14

4A  
1/18  
6/28/02

AMENDMENTS

**IN THE SPECIFICATION:**

On page 1, under Cross Reference to Related Applications, paragraph [0001], please replace the existing paragraph with the following paragraph:

AC --[0001] This application claims priority under 35 U.S.C. §120 as a continuation-in-part of U.S. Patent Application Serial No. 09/790,321, filed February 21, 2001, which is a divisional of U.S. Patent Application Serial No. 09/687,219, filed October 12, 2000, which is a continuation-in-part of U.S. Patent Application Serial No. 09/636,778, filed August 11, 2000, which is a continuation of U.S. Patent Application Serial No. 09/098,206, filed June 16, 1998, now U.S. Patent No. 6,174,673, which is a continuation-in-part of U.S. Patent Application Serial No. 08/876,276, filed June 16, 1997; this application also claims priority under 35 U.S.C. §120 as a continuation in part of which is a continuation-in-part of U.S. Patent Application Serial No. 09/790,321, filed February 21, 2001, which is a divisional of U.S. Patent Application Serial No. 09/687,219, filed October 12, 2000, which is a continuation-in-part of U.S. Patent Application Serial No. 09/444,112, filed November 22, 1999, which is a continuation-in-part of U.S. Patent Application Serial No. 09/098,206, filed June 16, 1998, now U.S. Patent No. 6,174,673, which is a continuation-in-part of U.S. Patent Application Serial No. 08/876,276, filed June 16, 1997, all of the contents of which are incorporated by reference in their entirety herein.--

**IN THE CLAIMS:**

Please enter the following rewritten claims:

AC 35. (Amended) The method of claim 34, further comprising reversing polarity of the magnetic field to cause reverse movement of the paramagnetic beads.

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A<sup>3</sup> 37. (Amended) The method of claim 36, further comprising removing, with the recovery tool, the sample from the capillary containing the sample.

38. A recovery apparatus for a sample screening system, wherein the system includes a plurality of capillaries formed into an array, the apparatus comprising:  
a recovery tool adapted to contact at least one capillary of the capillary array and recover a sample therefrom;  
an ejector, connected with the recovery tool, for ejecting the recovered sample from the recovery tool.

39. (Amended) The recovery apparatus of claim 38, wherein the recovery tool includes a needle connected with a collection container.

40. (Amended) The recovery apparatus of claim 38, wherein the recovery tool includes an aspirator for recovering the sample.

41. (Amended) The recovery apparatus of claim 38, wherein the ejector includes a jet mechanism adapted to expel the recovered sample.

42. (Amended) The recovery apparatus of claim 41, wherein the jet mechanism is operable by thermal energy applied thereto.

43. The recovery apparatus of claim 41, further comprising a heating element connected to the jet mechanism.

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**REMARKS**

**A. Regarding the Amendments**

The cross reference information, Page 1, Paragraph [0001] is in error. The paragraph incorrectly states, "Patent Application Serial No. 08/876,276, filed June 16, 1997, now abandoned." The amended paragraph deletes the phrase, "now abandoned" as set forth in the attached "Version With Markings To Show Changes Made." Additionally, the paragraph has been amended to correct the priority information of the present application. No new matter is added by these amendments to paragraph [0001].

Claims 37-43 have been renumbered and amended as set forth in the "Version With Markings To Show Changes Made." The claims as filed in the application filed on June 27, 2001, contained two claims numbered 36. The claims have been renumbered, in order to remedy this duplicative numbering. As the claims have only been renumbered, it is respectfully submitted that no new matter has been added. Accordingly, entry of the amendment is requested.

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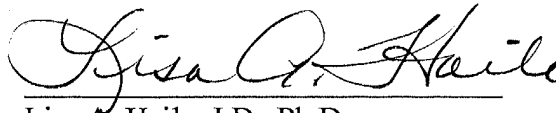
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**CONCLUSION**

No fee is deemed necessary in connection with the filing of this response. However, if any fee is deemed necessary, the Commissioner is authorized to charge (or apply any credits to) Deposit Account 50-1355. The Examiner is invited to contact Applicants' undersigned representative if there are any questions related to this matter.

Respectfully submitted,

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